

Doctor Christ Ecstasy
848 N Rainbow Blvd # 1166
Las Vegas, NV 89107
(66) 874118185 Thailand

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA
SOUTHERN DIVISION

FILED	RECEIVED
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COUNSEL/PARTIES OF RECORD	
SEP - 9 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

Doctor Christ Ecstasy (Pro Se))
Name of Plaintiff)
vs)
TE Subcom - Transoceanic Cable Ship Company)
Name of Defendant)

2:15-cv-01730-JCM-VCF

**COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, the AMERICANS with DISABILITIES ACT,
AGE DISCRIMINATION in EMPLOYMENT ACT, & 42:U.S.C. 1981**

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination, the Americans with Disabilities Act, Age Discrimination in Employment, 42: U.S.C. SECTION 1981 Act. Geographical Jurisdiction is the Southern Division Clark County. Equitable & other relief are sought under 42 U.S.C. 2000e-5(g).
2. Plaintiff, Doctor Christ Ecstasy, is a 63 year old Disabled (Diabetes) African American Citizen of the United States with address at 848 N. Rainbow Blvd # 1166, Las Vegas, Clark County, Nevada 89107 Phone # (66) 874118185 Thailand & email: drxtc@hotmail.com
3. Defendant, TE Subcom-Transoceanic Cable Ship Company, does business at 1001 East McComas Street Baltimore, Maryland 21230 Phone # 410-783-2281
4. Plaintiff was employed starting December 17, 2001 by the Defendant at 1001 East McComas Street, Baltimore, Maryland 21230 & assigned to work as a seaman on their Reliance Class Cable Laying Ships worldwide
5. Defendant discriminated against plaintiff in the manner indicated in paragraphs 9 and 10 of the complaint on February 2, 2015
6. Plaintiff filed charges against the Defendant with the Equal Employment Opportunity Commission charging Defendant with the acts of discrimination indicated in paragraphs 9 and 10 of this complaint on April 9, 2015
7. The Equal Employment Commission issued a Notice of Right to Sue received by Plaintiff on June 10, 2015.
8. Because of Plaintiff's (1) Race, (2) Age, (3) Disability Defendant:

- a. Created A Hostile Environment Where Plaintiff Was Set Up For A Wrongful Termination
- b. Terminated Plaintiff's Employment Without Reasonably Specific & Clearly Legitimate Cause

9. The circumstances under which the Defendant discriminated against Plaintiff were as follows:

Dismissal Letter Feb 2, 2015 Scott Winfield Senior Manager of Personnel fired Plaintiff Feb 2, 2015 using an incomplete statement of the facts. Scott Winfield starts his fable by talking about Plaintiff's Jan 16, 2015 email with Plaintiff informing Constance Shillingford (Personnel Manager) he was up country cause his Thai wife's mother had passed away and asked if he could finally get the paperwork so he could get the physical taken care of. In actuality Dec 19, 2014 Plaintiff emailed a request for a physical so he could renew his US Coast Guard License which was expiring Feb 26, 2015. (actually the 23rd) Defendant never gave me permission. Dec 19, 2014 I was told to contact her after Jan 10, 2015 (which was a Saturday). Defendant has Plaintiff's email & phone number which Defendant has used to contact him in the past. Plaintiff was on his vacation time off the ship! Dismissal Letter Scott Winfield goes on to say like it was a big surprise "On January 20 you informed Ms. Shillingford by email that your current physical had expired and you are in need of one to be scheduled in Thailand. You sent her another email on January 21st to advise that the physical is required as you had not yet renewed your Merchant Mariner's Credential (MMC ie US Coast Guard License) which is due to expire February 23, 2015" Back to Dec 19, 2014 To: Shillingford Constance Subject: Need Physical To Renew License "Hello Connie "Need Physical To Renew License Expires Feb 26, 2015 Doctor In Thailand" Her Reply "Please contact me after January 10th 2015" I was off by 3 days not Feb 26 but Feb 23.

Back to Dismissal Letter "Ms Shillingford immediately knew you were not ready to join the ship because it is well documented and publicized that it takes at least 6 weeks to obtain a renewal from the USCG once your paperwork has been submitted" Dec 19 to Feb 2 is 6 weeks plus another 3 weeks to Feb 23 when Plaintiff's license actually expired should have been enough time if Plaintiff had been given permission to schedule his physical. Plaintiff invites you to notice no mention of his US Coast Guard Medical Waiver for Diabetes Disability or New Diabetes Medication Email Jan 23, 2015. Oct 4 & 6, 2013 We must schedule it for you email : Shillingford "Whenever you take a physical we must schedule it for you. Up until the Tyco's new policy on us having a physical every year Plaintiff has been quite capable of getting and renewing his USCG License every 5 years. Except as it relates to Plaintiff's USCG Diabetes Medical Waiver the USCG only requires Merchant Mariners to have a physical once every two years to maintain our eligibility. Plaintiff was warned by the Defendant that they now schedule the physicals. Plaintiff lives in Pattaya Thailand which has an excellent first world hospital "Bangkok Pattaya Hospital" where Plaintiff has been getting his physicals. Normally the Defendant just gives Plaintiff the permission to get the physical and Plaintiff makes sure the hospital emails a copy to them. Defendant never gave Plaintiff the permission this time. Plaintiff had been working on the Defendants Cable Ships for 13 years. Given the number of times Plaintiff stayed past his vacation date to accommodate Defendant's need for extra help for it's cable projects it's totally Hostile the way Defendant is being so unreasonable now! The U.S. Supreme Court: Patterson v. Eudora, 190 U.S. 169 (1903) "If the necessities of the public justify the enforcement of a Sailor's contract by exceptional means Justice requires that the rights of the Sailor be in like manner protected"

10. Plaintiff attaches to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission which charges are submitted as a brief statement of the facts supporting this complaint plus the Right to Sue.

WHEREFORE, Plaintiff prays that the Court grant the following relief to the Plaintiff:

- a. Defendant be directed to pay \$1,300,000 including back wages and front wages and that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees if applicable.

Dated August 31, 2015

Doctor Christ Ecstasy (Signature of Plaintiff)

Doctor Christ Ecstasy

848 N Rainbow Blvd # 1166 Las Vegas NV 89107

Phone (66) 874118185 Thailand drxtc@hotmail.com

EEOC Form 201-6 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Doctor C. Ecstasy
848 North Rainbow Blvd
Po Box 1166
Las Vegas, NV 89107

From: Baltimore Field Office
10 South Howard St
3rd Floor
Baltimore, MD 21201

☐ On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

531-2015-00928

James P. Norris,
Investigator

(410) 209-2788

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice, or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

- ☐ More than 180 days have passed since the filing of this charge.
- ☒ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
- ☒ The EEOC is terminating its processing of this charge.
- ☐ The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- ☒ The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- ☐ The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Rosemarie Rhodes,
Director

06/03/2015
(Date Mailed)

Enclosures(s)

cc: Scott Winfield
Director of Human Resources
TE SUBCOM-TRANSOCEANIC CABLE SHIP COMPANY
1001 East McComas Street
Baltimore, MD 21230

Doctor Christ Ecstasy
848 N Rainbow Blvd # 1166
Las Vegas NV 89107
(66) 874118185 drxtc@hotmail.com

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

☐ FEPA

☒ EEOC

Agency(ies) Charge No(s):

531-2015-00928

Baltimore Community Relations Commission

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mr. Doctor Christ Ecstasy

Home Phone (incl. Area Code)

(66) 874118185

Date of Birth

01-16-1952

Street Address

City, State and ZIP Code

Vela Casa Condo Building B, Apt. #684/71, Naklua, Thailand, 20150

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

TE SUBCOM-TRANSOCEANIC CABLE SHIP COMPANY

No. Employees, Members

500 or More

Phone No. (include Area Code)

(410) 783-2281

Street Address

City, State and ZIP Code

1001 East McComas Street, Baltimore, MD 21230

Name

No. Employees, Members

Phone No. (include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE

☐ COLOR

☐ SEX

☐ RELIGION

☐ NATIONAL ORIGIN

☐ RETALIATION

☒ AGE

☒ DISABILITY

☐ GENETIC INFORMATION

☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

02-02-2015

Latest

02-02-2015

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I. I began my employment with the above listed Respondent on or about December 17, 2007. My most recent position title was Second Assistant Engineer. My immediate Supervisor was Chris Karpantis, Chief Engineer. On February 2, 2015, I was discharged and separated from employment. I believe Respondent's decision was discriminatory and pretext. Specifically, my job requires that I hold and maintain Merchant Mariner's Credentials (MMC). As a result of my disability, I am required to have yearly physicals in order to be certified by the Coast Guard. With my credentials about to expire on or about February 23, 2015, I reminded/requested that the Respondent schedule my physical examination in order to retain my licensure. My request was made on December 19, 2014. Despite my request and having adequate notice prior to my credentials expiring, Respondent failed to schedule my exam. To the contrary, on February 2, 2015, I received a letter stating that I have relinquished my permanency status with the company and that it has decided not to continue to employ me. I was discharged and separated effective February 2, 2015.

II. Respondent failed to provide me with a reasonable or valid explanation for its actions.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

4-9-2015

Doctor C. Ecstasy

Date

Charging Party Signature

Doctor Christ Ecstasy
848 N Rainbow Blvd # 1166
Las Vegas NV 89107
(66) 874118185 drxtc@hotmail.com

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	Agency(ies) Charge No(s): 531-2015-00928
Baltimore Community Relations Commission		and EEOC	
<small>State or local Agency, if any</small>			
<p>III. I believe I have been discriminated against regarding unequal terms and conditions of employment and discharge in violation of the Age Discrimination in Employment Act of 1967, as amended, based on my age (63); in violation of the Americans with Disabilities Act Amendment Act of 2008, based on disability; and in violation of Title VII of the Civil Rights Act of 1964, as amended, based on my race (Black).</p>			

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – When necessary for State and Local Agency Requirements</p>
<p>I declare under penalty of perjury that the above is true and correct.</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p>
<p><u>4-9-2015</u> <u>Doctor C. Ecstasy</u></p> <p><small>Date Charging Party Signature</small></p>	<p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <small>(month, day, year)</small></p>

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